

REMARKS

In the outstanding Official Action, the disclosure was objected-to for an informality. Figures 1-2 were objected-to under MPEP 608.02(g). Figure 16 was objected-to for a perceived informality. Claims 1, 3 and 7 were rejected under 35 U.S.C. §103(a) over TAKAGI et al. (U.S. Patent No. 6,418,128) in view of Applicant's Admitted Prior Art. Claim 8 was rejected under 35 U.S.C. §103(a) over Applicant's Admitted Prior Art. Claims 9, 11-15 and 19 were rejected under 35 U.S.C. §103(a) over Applicant's Admitted Prior Art in view of HELLER (U.S. Patent Application Publication No. 2003/0235206). Although claim 17 was indicated to be rejected, it appears that no basis was specified for any rejection of claim 17. Claim 18 was objected-to as being dependent upon a rejected base claim, but was otherwise indicated to contain allowable subject matter, if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Upon entry of the present amendment, Applicant will have corrected the informality in the specification at page 30. In this regard, the amendment to the specification replaces a reference to element 900 in Figure 11 as a "base station" with a reference to element 900 as a "mobile terminal apparatus". Applicant submits that the herein-contained amendment to the specification does not add new matter to the present application. Rather, element 900 in the Figures is consistently referred to elsewhere in the specification as a "mobile terminal apparatus" except at one part where element 900 is referred to simply as a "apparatus". In view of the herein-contained amendment to the specification,

Applicant requests reconsideration and withdrawal of the objection to the specification.

Upon entry of the present amendment, Applicant will have replaced Figures 1 and 2 with Replacement Figures 1 and 2. Each of Replacement Figures 1 and 2 is labeled as "Prior Art". In view of the replacement of Figures 1 and 2 with Replacement Figures 1 and 2, Applicant requests reconsideration and withdrawal of the objection to Figures 1 and 2.

Applicant traverses the objection to Figure 16. In this regard, the term "COMMUNICATION TERMINAL APPARATUS" in Figure 16 is not used to describe the base station shown in Figure 16, as asserted in the Official Action. Rather, the term "COMMUNICATION TERMINAL APPARATUS" in Figure 16 is used to illustrate that "[w]ireless communication section 1411... transmits [a] radio signal to the communication terminal apparatus" (emphasis added), as is stated at page 44, lines 5-11 of the written description. Accordingly, Applicant requests reconsideration and withdrawal of the objection to Figure 16.

Applicant traverses each of the rejections under 35 U.S.C. §103, as well as the objection to claim 18. In this regard, upon entry of the present amendment, claims 1-19 will have been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 20-30 will have been added for consideration by the Examiner. In view of the herein-contained cancellation of each of claims 1-19, Applicant submits that each of the above-noted rejections of the claims and objections to the claims has been rendered moot.

Applicant submits that the newly presented claims do not add new matter to the present application. Rather, the features recited in claim 20 are supported by, for example, features described with respect to the exemplary embodiment shown in FIG. 16. For example, the "protocol relay section" recited in claim 20 is supported by the exemplary protocol relay section 1404 in FIG. 16. The "protocol processing section" recited in claim 20 is supported collectively by the exemplary IP input/output section 1402 in FIG. 16, the exemplary IP relay section 1409 in FIG. 16, and the exemplary IP input/output section 1406 in FIG. 16. The "first output destination controller" recited in claim 20 is supported by the output destination control section 1424 in FIG. 16. Additionally, the "L2 relay section" recited in claim 25 is supported by the L2 relay section 1408 in FIG. 16, and the "second output destination controller" recited in claim 25 is supported by the output destination control section 1414 in FIG. 16. Accordingly, Applicant respectfully submits that the herein-contained new claims do not add new matter to the present application, as is demonstrated by the exemplary explanations of support for features of the claims as set forth above.

Applicant further submits that each of claims 20-30 is allowable for the reasons set forth below. In this regard, according to claim 20, a base station apparatus includes a "first output destination controller that... selects one of [a] protocol relay section and [a] protocol processing section in accordance with [a] detected instruction, and instructs packet processing to the mobile terminal apparatus". The "protocol relay section... performs proxy processing" and the

"protocol processing section... performs normal protocol processing and relay processing without involving proxy processing".

Additionally, according to claim 25, a "second output destination controller... selects one of transfer to [a] L2 relay section and transfer to an upper layer corresponding to a type of the relay packet". When "the second output destination controller selects transfer to the upper layer, the first output destination controller selects one of the protocol relay section and the protocol processing section in accordance with the detected instruction".

The above-noted features are not disclosed or suggested by any proper combination of Applicant's Admitted Prior Art and/or the documents applied in the outstanding Official Action. For example, TAKAGI is generically directed to a TCP relay section and an IP relay section. However, TAKAGI does not disclose the features recited in claim 20 that relate to the recited "first output destination controller". Further there is no proper motivation in Applicant's Admitted Prior Art, TAKAGI and/or HELLER to modify TAKAGI to include the above-noted features in combination with the remaining features of claim 20. Accordingly, Applicant respectfully submits that claim 20 is allowable over any proper combination of Applicant's Admitted Prior Art, TAKAGI and/or HELLER.

Applicant further submits that independent claim 30 is allowable at least for reasons similar to those set forth above with respect to claim 20, insofar as claim 30 recites a combination that includes features similar to the above-noted features recited in claim 20. Applicant additionally submits that each of claims 21-29 is allowable at least for depending, directly or indirectly, from an allowable

independent claim, as well as for additional reasons related to the features recited therein.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the each of the outstanding rejections and objections. Applicant further requests entry of claim 20-30 as well as an indication of the allowability thereof, at least for each and all of the reasons set forth above.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance, and believes that he has now done so. Applicant has added claims for consideration by the Examiner, and has discussed the features recited in Applicant's new claims and explained that these features are neither taught, disclosed, nor rendered obvious by any proper combination of Applicant's Admitted Prior Art and the documents cited in the Official Action. Accordingly, Applicant requests an indication of the allowability of each of the claims now pending.

The amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Shinkichi IKEDA

  
Joshua M. Povsner

Reg. #42,086

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Bruce H. Bernstein  
Reg. No. 29,027

September 1, 2006  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191